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BNPM Policy for Prevention, prohibition and redressal for Sexual Harassment at workplace

➤ Preface:

The Supreme Court of India in its 1997 judgement in Vishaka and others Vs. State of Rajasthan and others made it obligatory for every employer and other responsible person to follow the guidelines laid down by the court and to evolve a specific policy to combat sexual harassment in workplace. The Sexual Harassment of Woman at workplace (Prevention, Prohibition and Redressal) Act 2013 has also been notified by Government of India along with The Sexual Harassment of Woman at workplace (Prevention, Prohibition and Redressal) Rules 2013. The company is also bound by the aforementioned directive.

The aforementioned laws only cover the sexual harassment against women. However, BNPM aims at treating every employee, irrespective of the gender, with dignity and respect. BNPM intends to promote a work environment that is conducive to the professional growth of its employees. Hence BNPM adopts and implements the Prevention, prohibition and redressal for Sexual Harassment at workplace (PPRSH) policy giving equal treatment to both women and male employees as an ideal employer.

➤ Objectives

Under the corporate umbrella, harassment of any kind including sexual harassment affecting the dignity of men and women at work is forbidden. Every employee has the right to be protected against harassment, regardless of whether the accused considers his or her own behaviour to be normal or acceptable and or whether the harassed person has the opportunity to avoid the harassment. BNPM is committed to providing a work environment which is free from sexual harassment.

The BNPM PPRSH Policy has been formulated to prohibit, prevent or deter the commission of acts of sexual harassment at workplace and to provide the procedure for the redressal of complaints pertaining to sexual harassment.

BNPM PPRSH Policy neither releases employees from their duty of confidentiality in the course of their work nor can it be used as a route for raising malicious or unfounded allegations against people in authority and / or colleagues in general.

➤ Applicability

The Policy applies to all categories of employees of the company, including permanent, management, workmen, trainees, probationers and contract employees of all cadres at its workplace or outside on official duty.

While sexual harassment occurs to those who are covered under the policy, as a result of an act by a third party or outsider while on official duty, BNPM will take all necessary and reasonable steps to assist the affected person in terms of support and preventive action.

This Policy comes into force with immediate effect.

➤ Definition

1. **'Sexual harassment'** includes any one or more of the following acts or behaviour (whether directly or by implication) namely:
 - a. Physical contact and advances; or
 - b. Physical, verbal or non-verbal conduct of sexual nature; or
 - c. a demand or request for sexual favours whether by words, gestures or action; or
 - d. making sexually coloured remarks; or
 - e. showing pornography; or
 - f. joking that is sex oriented; or
 - g. any sort of sexually determined behaviour; or
 - h. eve/adam teasing, innuendos and taunts, physical confinement against one's will and likely to intrude upon one's privacy; or
 - i. any conduct that has the purpose or the effect of interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment and/or submission to such conduct is either an explicit or implicit term or condition of employment and /or submission or rejection of the conduct is used as a basis for making employment decisions

In addition to the above, if any complaint is received and if the following situations are found to be true, then the sexual harassment will be presumed;

- a. implied or explicit promise of preferential treatment in aggrieved person's employment
- b. implied or explicit threat of detrimental treatment in aggrieved person's employment (demanding completion of assigned task in time or giving reasonable instructions as per the organization command are excluded)
- c. implied or explicit threat about present or future employment status of aggrieved person
- d. interference with the work of aggrieved person or creating an intimidating or offensive or hostile work environment for aggrieved person
- e. humiliating treatment likely to affect her health or safety.

It must, however, be noted that presumption does not itself give rise to the disciplinary actions. Even if the presumption is drawn, due process of examination will be followed by the Internal Complaints Committee before taking any action.

2. **Employees** mean all employees (present or future, probation or permanent) those are on the rolls of the company and include those who are employed by the contractors – with or without the knowledge of the company.
3. **Company** means Bank Note Paper Mill India Private Limited

4. **Board** means Board of Directors of the Company

5. **Workplace** means and includes;

- All parts of corporate/administrative office of the company.
- All parts/divisions/departments/sections and the like of factory premises and
- Any place, whether belonging to the company or not, visited by employee for the reasons, directly or indirectly, arising out of or during the course of employment including transportation provided by the employer for undertaking such journey.
- Any social, business or other functions/trainings/programmes etc. which is by or for the employees of the company.

6. **Aggrieved person** means any employee of any age who alleges to have been subjected to any act of sexual harassment by the accused.

7. **Accused** means a person against whom the aggrieved person has made a complaint of sexual harassment.

8. **Internal Complaints Committee** means a committee as constituted under this policy

➤ Conditions for coverage of sexual harassment under BNPM's PPRSH policy:

- a. The harassment should be unwelcomed by the aggrieved person.
- b. The aggrieved party should express his unwillingness to the harasser preferably in writing. (Keeping the record of incidents - dates, time, locations, possible witness, what happened, responses is not mandatory. However, a record can strengthen the case.)
- c. The harassment may or may not be with the intention of creating adverse/favourable job consequences.
- d. The harassment may be directly by the harasser him/herself or indirectly either through any other person, any objects etc.
- e. Sexual harassment may or may not constitute health (physical or mental) and safety problems.
- f. Sexual harassment may be either by an individual or group of persons.

➤ Internal Complaints Committee

As per the provisions of section 4(2) of the Sexual Harassment of Women at workplace (Prevention, Prohibition and redressal) Act 2013, the composition of the Internal Complaints Committee shall be as under:

- a. 'Presiding officer' who shall be a woman employed in the senior level at workplace from amongst the employees;

- b. Not less than two members from amongst employees preferably committed to the cause of women or who have had experience in social work or have legal knowledge.
- c. One member from amongst non-governmental organisations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment

Provided that at least one half of the total member so nominated shall be women.

As the BNPM's PPRSH sexual harassment policy covers both the genders i.e. male and female, the internal committee is constituted as under:

- i. Where a women employee is the aggrieved person*

Sl. No.	Name	Designation
1.	Ms. Shiva Sharma – Dy. Manager, Supply Chain Management	Presiding officer
2.	Ms. Pavithra.P EA to MD cum Company Secretary	Member cum Secretary
3.	Ms. Ajisha. D, Officer – HR and Admin	Member
4.	Mr. Vadiraj Kulkarni, Deputy Manager (HR & Admin.) / Any Male member from Industrial workmen cadre	Member
5.	Female member from any non-governmental organisations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment.	Independent Member

*Amended with the approval of Managing Director with effect from 27th January 2016 consequent to shifting of Registered and Corporate Office from Bangalore to Mysore

- Where a male employee is the aggrieved person*

Sl. No.	Name	Designation
1.	Mr. K. Ramprasad – DGM - Technical	Presiding officer
2.	Ms. Pavithra.P EA to MD cum Company Secretary	Member cum Secretary
3.	Ms. Ajisha D, Officer – HR and Admin	Member
4.	Mr. Vadiraj Kulkarni, Deputy Manager (HR & Admin.) / Any Male member from Industrial workmen cadre	Member
5.	Male member from any non-governmental organisations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment.	Independent Member

*Amended with the approval of Managing Director with effect from 27th January 2016 consequent to shifting of Registered and Corporate Office from Bangalore to Mysore

The above committees are subject to changes depending on the change in designation/rotation of employees/independent members. The changes, if any will be intimated vide office circular.

The Internal Complaints Committee is responsible for:

1. Investigating every formal written complaints of sexual harassment
2. Taking appropriate remedial measures to respond to any substantiated allegations of sexual harassment
3. Discouraging and preventing employment- related sexual harassment

Disqualification from being committee member:

An Employee member shall cease to hold office as a member of the Complaints Committee if she/he ceases to be an employee of the Company or if she/he is found guilty of committing an act of Sexual Harassment or any other act of moral turpitude.

In the event of any disqualification, resignation or termination of appointment (by the Company) of any member, the Head of Human Resources shall, with respect to an outgoing Employee Member, forthwith select a substitute Employee Member.

Notwithstanding the aforesaid, the Managing Director of the Company shall be entitled, at his sole discretion and at any time, to terminate the appointment (as member of the Complaints Committee) of any member and appoint a substitute thereof.

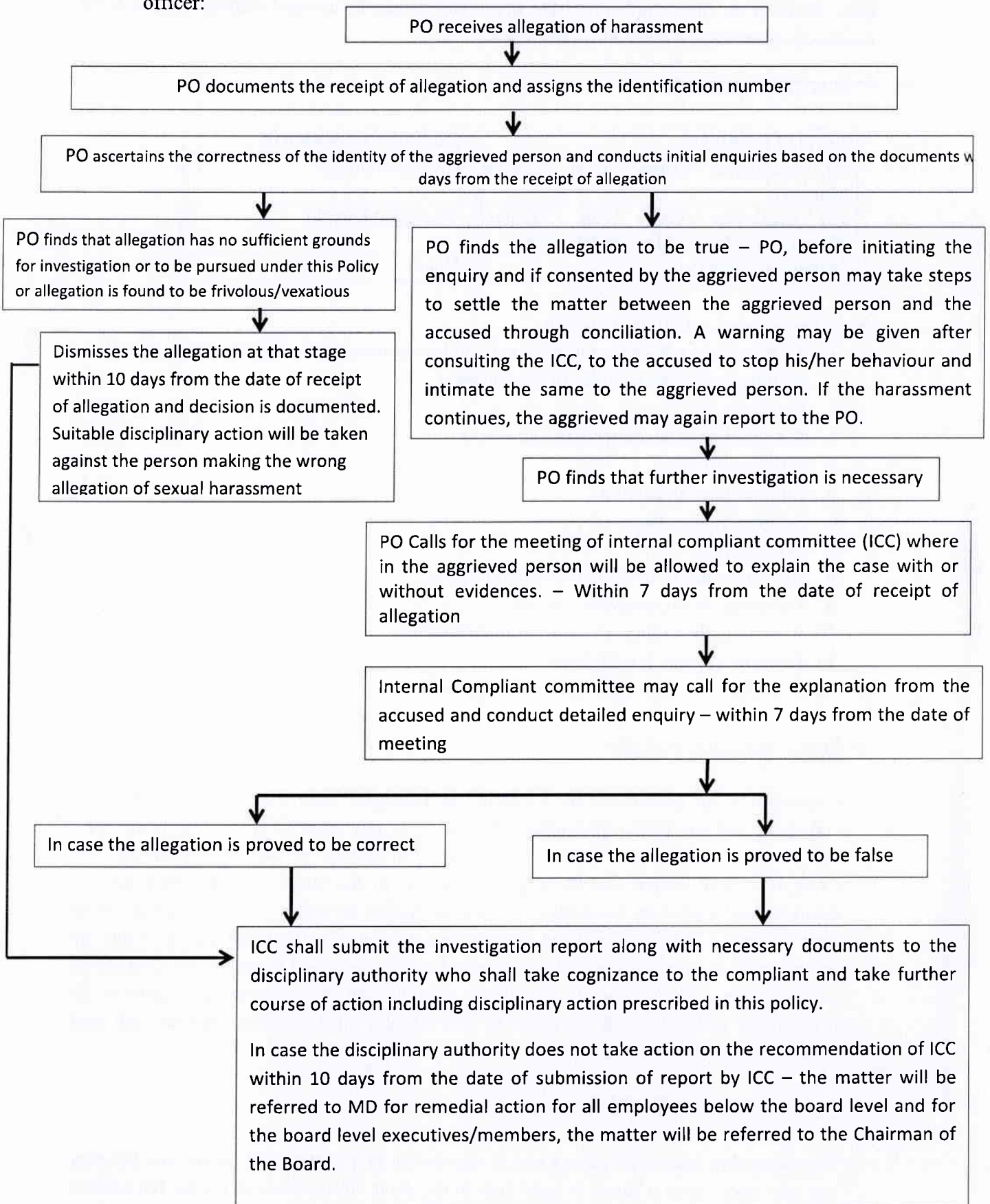
➤ Procedure for reporting allegation of sexual harassment and process for redressal:

1. All allegations of sexual harassment shall be reported to the presiding Officer (PO) in writing in the below mentioned format

Date:
Name of the Aggrieved person:
Employee ID No. of Aggrieved person:
Communication address, phone no. and e-mail ID of the Aggrieved person:
Name of the accused:
Description of harassment in brief:
Details of evidence, if any:
Signature of Aggrieved person:

2. It may either be typed or written in a legible handwriting in English. Aggrieved person shall invariably mention his name.
3. It may either be handed over in person to the Presiding Officer or may be sent by courier/post in a sealed cover.
4. The aggrieved person shall make a compliant to the Presiding Officer within the period of three months from the date of incident and in case of a series of incidents, within a period three months from the date of last incidents. However, the aggrieved person is requested to make the compliant immediately after the incident so as to avoid the further humiliation.

5. On receipt of the allegation, the below mentioned process shall be followed by Nodal officer:



Note: Internal Complaint Committee shall have the right to terminate the enquiry or give ex-parte decision on the complaint, if the aggrieved person or accused remains absent for 3 consecutive hearings, without sufficient cause.

➤ Disciplinary authority

Level of Employee	Disciplinary Authority
All employees below Asst. General Manager	General Manager
All employees above Asst. General Manager and below Managing Director	Managing Director
Managing Director	Board

➤ ** Disciplinary actions may include:

1. Those actions which are taken for misconduct in accordance with the provisions of standing order/service rules of the company;
2. Warning;
3. Withholding of increments (major/minor)
4. Written apology;
5. Bond of good behaviour;
6. Gender sensitization;
7. Counselling;
8. Adverse remarks in the Confidential Report;
9. Debarring from supervisory duties;
10. Reverting, demotion;(major/minor punishment)
11. Dismissal;(major punishment)
12. Any other – as provided in the staff regulation.

➤ Protection against retaliation:

Regardless of the outcome of the allegation made in good faith, the employee lodging the complaint and any person providing information or any witness, will be protected from any form of retaliation. While dealing with allegation of sexual harassment, the Committee shall ensure that the aggrieved person or the witness are not victimized or discriminated against by the accused. Any unwarranted pressures, retaliatory or any other type of unethical behaviour from the accused against the aggrieved person while the investigation is in progress should be reported by the aggrieved person to the Complaints Committee as soon as possible. Necessary actions, including referring the matter to the disciplinary authority, will be taken by the Complaints Committee against any such allegations who are found genuine.

➤ Complaints made with a malicious intent

This policy has been evolved as a tool to ensure that in the interest of justice and fair play, our employees have a forum to approach in the event of instances of sexual harassment.

However, if on investigation it is revealed that the complaint was made with a malicious intent and with the motive of maligning the concerned individual / tarnishing his/her image in the company and to settle personal/professional scores, strict action which includes major punishment will be taken against the employees making such false allegation.

➤ Confidentiality

The company understands that it is difficult for the aggrieved person to come forward with a complaint of sexual harassment and recognize the victim's interest in keeping the matter confidential.

To protect the interest of the victim, the aggrieved person and others who may report incidents of sexual harassment, confidentiality will be maintained throughout any investigatory process to the extent practicable and appropriate under the circumstances.

➤ General conditions:

1. Sexual harassment is judged based on the impact on the aggrieved person and not on the intent of the accused.
2. It is the obligation of all employees to report sexual harassment experienced by them personally. Any co-worker may report sexual harassment on behalf of the aggrieved person only when the aggrieved person has consented for the same in writing and such consent is produced at the time of reporting.
3. Where the aggrieved person is unable to make a complaint on account of her/his physical or mental incapacity or death or otherwise, his/her family members/legal heir may make a complaint under this policy. The ICC will take the necessary measure in this regard.
4. Once the allegation is received, it will be kept strictly confidential.
5. Both the complainant and the alleged accused initially will be questioned separately with a view to ascertain the veracity of their contentions. If required, the person who has been named as a witness will need to provide the necessary information to assist in resolving the matter satisfactorily.
6. All information received shall be kept confidential. Any person (including witnesses) who breaches confidentiality shall be subject to disciplinary action.
7. In addition to the above, legal remedies as may be provided under the various laws for the time being in force may also be sought.
8. All members of the Committee Against Sexual Harassment should be neutral and unbiased
9. The committee shall take note of the respective socio-economic positions of the parties, their hierarchy in the respective workplace, the employer-employee equations and other power differences while appreciating the evidence.

10. The committee shall ensure that settlement, if arrived, shall be purely of non-monetary (cash or kind) in nature.

11. The parties shall not be allowed to bring any legal practitioner to represent them in their case at any stage of the proceedings before the Internal Complaints Committee.

➤ Documentation

The Committee shall keep complete and accurate documentation of the allegation, its investigation and the resolution thereof. The incident would be documented in both the aggrieved party's and the accused's personal files with the full report of the Complaints Committee.

➤ Reporting

1. Where a settlement has been arrived, the PO shall record the settlement so arrived and report the same to the ICC.
2. A report on the allegations received and the final result thereof shall be submitted to the board annually.
3. The annual report shall contain the following:
 - a. Number of allegations received during the year
 - b. Number of allegations disposed-off during the year
 - c. Number of cases pending more than the prescribed time limit
 - d. Number of workshops or awareness program against sexual harassment carried out
 - e. Nature of action taken by the committee.

➤ Amendment

The Company reserves its right to amend or modify this Policy in whole or in part, at any time without assigning any reason whatsoever.
